

Applicants: Richard L. FRANKLIN *et al.*
Application No. 09/779,456

REMARKS

Applicants respectfully request reconsideration and further examination of the patent application under 37 C.F.R. § 1.111.

Response to Claim Objections:

The Examiner indicates that claims 13-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Applicants thank the Examiner for the indication of allowability, and have amended claim 13 to include the limitations of base claim 11 and intervening claims 12 so as to put claims 13-16 into condition for allowance.

Response to Rejection under 35 U.S.C. § 112, Second Paragraph:

Claims 17-21 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Examiner states that, with regard to claims 17 and 18, the terms “viewing habits” and “viewing habit information” render the claims vague and indefinite. Applicants have amended claims 17 and 18 to remove the term “viewing habits” and to replace the term “information” with the term “subscriber activity information,” where “subscriber activity information” is clearly defined as “including at least one of when the subscriber interacted with the server or messages written by the subscriber to the author.”

Response to Rejection Under 35 U.S.C. §102(e)

Claims 11-12 were rejected under 35 U.S.C. § 102(e) as being anticipated by Feig (U.S. Application Publication Number 2003/0043515). In reference to claim 11, Examiner states that Feig teaches a server (Figure 1A, master server 110) communicating on a public network (Internet

40) with a subscriber and an author (Figure 6A(2), Author Client and User 100a, 100b or 100c), comprising:

- a. an author interface routine (Figure 1A, 35a, 35b, or 35c) to interact with the author (Author Client 100a, 100b, or 100c) via the public network (Internet 40);
- b. a subscriber interface routine (Figure 1A, 35a, 35b, or 35c) to interact with the subscriber (User 100a, 100b, or 100c) via a dedicated channel (Figure 1A, 35a, 35b, or 35c) on the public network (Internet 40);
- c. a subscription routine (steps 400-402, Figure 6A(2)) to receive a first request for access by the subscriber (User sends request to master server) and to thereupon write to the subscriber a program (steps 422-424, Figure 6A(2)) 1) establishing parameters for the dedicated channel, and 2) establishing a core viewer routine to render a viewer at the subscriber having predefined viewer capabilities (page 15, [0161]-[0164]), and
- d. a data accumulation routine (steps 428-430) to submit content to the subscriber (user receives target document a step 430) in accordance instructions received from the author (steps 413-step 424 page 15 [0163-1064], including partial executable program codes for execution in association with the core view routine such the executable program codes extend the predefine viewer capabilities to new view capabilities not previously executable by the core viewer routine (page 15 [0164]).

Applicants respectfully traverse this rejection. Feig appears to describe a system and method for managing target documents referred to by referring documents. Feig does appear to describe an author interface routine to interact with the author via a public network. Feig also appears to describe a subscriber interface routine to interact with the subscriber via a dedicate channel on the public network. However, Feig does not appear to describe or suggest a subscription routine to receive a first request for access by the subscriber and to thereupon write to the subscriber a program 1) establishing parameters for the dedicated channel, and 2) establishing a core viewer routine to render a viewer at the subscriber having predefined viewer capabilities. In the disclosure identified

by Examiner, Feig instead describes where a user client application running on a client computer is executing upon first data included in “a referring document” that includes a hypertext link to second data that must be retrieved via an access request to a master server database application running on a master server computer. Specifically, the hypertext link is to a graphics file “LISA.JPG.” Feig then describes a typical access control approach whereby the target document (LISA.JPG) is only provided to the client if an access code sent by the client along with the request for access to the target document matches an access code assigned to the target document by the master server database application. If the access code matches the target document is sent in response to the request. Otherwise, an access denied message is sent in response to the request. At no time does Feig describe or suggest “writing to the subscriber a program.” Instead, Feig describes providing a requested target document, or data file, to a client if an access code is correct. As such, Feig does not appear to describe or suggest a subscriber routine writing to the subscriber a program that establishes parameters for the dedicated channel or that establishes a core viewer routine to render a viewer at the subscriber having predefined viewer capabilities. Instead, Feig describes that the Client Server application is already interfacing over the Internet with the Master Server Database application via a private channel. So, wherein the Feig data is passed to the client from the Master Server over a dedicated channel if an access code is correct, the present invention receives a subscription request that causes a subscription routine to write a program that executes on the client, and where the program establishes parameters for the dedicated channel. Where, given a correct access code, Feig provides to the client a target document, or data file, having a format (*e.g.*, JPG) that can only be executed by a viewer program already resident on the client computer (BROWSER 30) and, as such, the client may be “constrained by the computer configurations and program versions that exist,” the subscriber routine of the present invention writes to the subscriber a program that establishes a core viewer routine to render a viewer at the subscriber having predefined viewer capabilities.

Furthermore, Feig does not appear to describe or suggest a data accumulation routine to submit content to the subscriber in accordance with instructions received from the author, including partial executable program codes for execution in association with the core viewer routine such that the partial executable program codes extend the predefined viewer capabilities to new viewer capabilities not previously executable by the core viewer routine. Feig appears to pass data to the client if a request includes the correct access code. The present invention writes a program to the client that establishes a core viewer routine and then, after the core viewer routine has been established, an author can submit instructions to a data accumulation routine as to what content the author desires the subscriber to receive and to how it should be viewed. Based on the author's instructions, the data accumulation routine submits content to the subscriber including partial executable program codes for execution in association with the core viewer routine such that the partial executable program codes extend the predefined viewer capabilities to new viewer capabilities not previously executable by the core viewer routine. Clearly, the Master Server Database ("Author") of Feig is merely providing data to a client based on a request using ordinary data access control measures where the data is executed by a viewer program already present on the Client ("Subscriber") computer. This common process in no way establishes a core viewer routine or involves partial executable program codes that extend the capabilities of the viewer. Because such claimed limitations are not taught or suggested by Feig, Applicants respectfully submit that the grounds for rejection have been properly traversed.

The Examiner indicates that, with regard to claim 12, Feig further includes an authoring interface that creates the executable program codes dynamically based on inputs received from the author. Applicants respectfully submit that, because claim 12 is dependent on claim 11, the grounds for rejection have been properly traversed for at least those reasons given above.

New Claims:

Applicants have added new claims 22-30, which are intended to be consistent with the previously presented claims that include the limitations that Applicants contend overcome the prior art. Specifically, a server communicating on a public network with a subscriber and an author having a subscription routine to receive a request from the subscriber and to thereupon write to the subscriber a program that establishes a core viewer routine to render a viewer at the subscriber having predefined viewer capabilities, and a data accumulation routine to submit content to the subscriber in accordance with instructions received from the author, the content including data and partial executable program codes for execution in association with the core viewer routine such that the partial executable program codes extend the predefined viewer capabilities of the core viewer routine to enable the core viewer routine to execute on the data independent of computer configurations and program versions that exist at the subscriber.

Applicants believe that the new claims do not require additional claim fees. Should additional claim fees be necessary to prevent abandonment of this application, such fees are hereby authorized to be charged to our Deposit Account No. 22-0261. In the event of such charges, please advise us accordingly.

Conclusion:

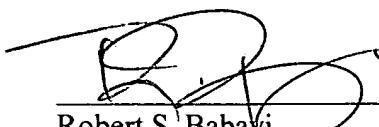
Applicants respectfully submit that, in view of the foregoing, all of the stated grounds of objections and rejections have been properly traversed, accommodated, or rendered moot. Therefore, the Applicants respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn.

If the Examiner believes for any reasons that further communication will expedite prosecution of this application the Examiner is invited to telephone the undersigned at the number provided.

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Accordingly, in view of the above amendments, it is believed that the remaining claims of the present invention are in condition for allowance.

Respectfully submitted,



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